

Message Text

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ACTION EB-07

INFO OCT-01 CIAE-00 COME-00 DODE-00 NRC-05 NSAE-00 USIA-06

TRSE-00 EUR-12 ERDA-05 ISO-00 ERDE-00 MC-02 L-03

SSO-00 SP-02 PM-04 /047 W
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P 281717Z JUL 76

FM USMISSION OECD PARIS

TO SECSTATE WASH DC PRIORITY 3024

C O N F I D E N T I A L OECD PARIS 21956

EXCON

E.O. 11652: XGDS1

TAGS: ESTC, COCOM, DA, PL

SUBJECT: DANISH FLOATZONE REFINER TO POLAND--IL 1355

REF: (A) COCOM DOC (76) 682, (B) OECD PARIS 16335,
(C) OECD PARIS 17262, (D) PRACHT-TOWNSEND TEL-
CON 7/27/76

1. DANISH DEL CALLED ON US DEL 7/27 TO EXPRESS HIS
AUTHORITIES' DISPLEASURE AT US FAILURE STATE TIMELY
VIEWS ON REFCASE A. US HAS HELD CASE ON UNMOTIVATED
RESERVE SINCE JUNE 4, 1976, AND HIS INSTRUCTIONS WERE
TO DENY ANY FURTHER EXTENSIONS FOR STATEMENT OF US
POSITION. US DEL EXPLAINED THAT IF NO EXTENSION WERE
GRANTED HE WOULD HAVE NO ALTERNATIVE TO OBJECTING. HE
SUGGESTED THAT AS 90 DAY PERIOD ENVISAGED BY GENERAL
EXCEPTION PROCEDURE, PARA 4(A)(IV), WOULD ONLY EXPIRE
ON AUGUST 5, DANISH AUTHORITIES RECONSIDER GRANTING AN
EXTENSION FOR US VIEWS AT LEAST UNTIL THAT DATE.

2. DANISH DEL, AFTER CHECKING FURTHER WITH HIS AUTHOR-
ITIES PHONED GRANTING ADDITIONAL ONE WEEK EXTENSION
UNTIL AUGUST 3. HE IMPLIED THAT HIS AUTHORITIES WOULD
GRANT NO FURTHER EXTENSIONS BEYOND THAT DATE AND THATF
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IF NO US POSITION WAS FORTHCOMING HIS AUTHORITIES

WOULD WITHDRAW CASE AND PROCEED WITH EXPORT WITHOUT
COCOM APPROVAL.

3. COMMENT: DENMARK'S WITHDRAWAL OF CASE DUE TO US
FAILURE STATE VIEWS WITHIN MAX 90 DAY PERIOD ENVISAGED
BY COCOM PROCEDURES COULD ONLY FURTHER ERODE COCOM'S
EFFECTIVENESS. BELGIUM AND GERMANY HAVE BOTH ALREADY
WITHDRAWN CASES CITING US FAILURE TO STATE TIMELY
VIEWS AND EACH SUCH OCCURRENCE PROVIDES A PRECEDENT
WEAKENING RESPECT FOR THE PRINCIPLE OF UNANIMITY AND
PRIOR COCOM APPROVAL. US DEL STRONGLY URGES WASHINGTON
AGENCIES TO REACH FINAL POSITION BY AUGUST 3.

4. ACTION REQUESTED: US VIEWS REFCASE BY AUGUST 3.
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Message Attributes

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Disposition Authority: KelleyW0
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Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
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